App F IX 4

195 52 53
(e m)

File No R7-52

Previous References
ME 106-45-35

Serial Nos 35, 36
59, 73

Later References

P=19
E

GENERAL AND REVENUE SECRETARIAT

Serial Nos 4

Part B for March 53

SUBJECT

Amendment of the Bye-Laws relating to dangerous and offensive trades so as to increase the fee for medical examination of food handlers from Rs 1/- to Rs 2/

WD 01185—GPB—5,000—1 9 1952

L 21163-64/B 19-3-53.

The ML Comm Mysore
re C, S A-D B'lore

Sanct

28/4

G R S APP F III—1]

GENERAL AND REVENUE SECRETARIAT

( )

NOTES

File No

FILE HEADING

Amendment of the Cafe laws relating to dangerous and offensive Trades so as to increase the Medical Examinations of food handlers from Re 1/- to Rs 2/-

FROM The Municipal Commissioner, Bombay City

No C & R 284/52/53 Dated 24 6 52 Received

Diary No 2406/ml	Enclos	Spare copies	Serial No

BRIEF ABSTRACT OF LETTER

Forwards for approval the draft of the above Amendment as approved by the Municipal Council at its meeting held on 5 6 52.

NOTES AND ORDERS

Flag "B"

Collector ml 106-cc (Rs 34 & 35) approves the additional Cafe laws now proposed to be amended as put up

2) under the ~~Electric~~ existing provision the fee payable by food handlers for medical Examination and Certificate is Re 1/- and for the Registration annas eight The Amendment was proposed purport to enhance the Medical Examination fee from Re 1

NOTES—First Sheet

WD 010865—GPB—20 000—2-8-50

Amendment of Regulations relating to Offensive and Dangerous Trade

File No 2408 of 1952-53 | General and Revenue Secretariat

from Re 1/- to Rs 21 besides the annual registration fee & costly charges. The cost & fee for Medical examination cannot be made a source of income to the Municipality and as such the need for the proposed enhancement of the fee should have been satisfactorily explained while submitting the proposals and the details of the amount realised on this account, extra expenditure incurred on such examinations, if any, and cost for the realisations fall short & the expenditure to justify such enhancement

3) para 2 of Regulation IX prescribes the period of currency or validity of the Certificate and it is from 1st July to 30th June of each year now that the financial year is changed from July to April, this occasion may perhaps be utilised to suggest to the Municipal Council to bring the amendment of Regulation IX so as to provide for the Certificate to be valid for one financial year, i.e from 1st April to 30th March each year instead of from 1st July to

(Consequent of the

Serial No

30th June as now existing

4) Subs for orders

5) Call for further wfrs in the light of the observations made above

Reg 8/7/52 OR 8/7

9/7

6) Left Collr of the Municipal Commr, Mysore city Municipality & post up for approval

Reg 11/7/52 OR 11/7

7) Issue

12/7

To

The Municipal Commissioner
Mysore city Municipality
- 2 505 & (thro the Addl) Dated 19 7 52
calls for a report

From

The Municipal Commr Mysore city
No C P R 13/50 S1 Dated 31 10 52
States that the Reply has already been sent on 30 4 52 and requests for early orders

8) The Replies quoted by the Commr are that Collr refers to Bye-laws Relating to levy of fees on Tanneries Carried on within

GPA

Note-Contn Sheet

Amendment of Bye laws relating to Offensive and Dangerous Trade- fee for the Medical Examination of food handlers

File No 2406 / 5930 / md of 1952-53

General and Revenue Secretaria

Serial No

on the Electric Motors which also comes within the Broad term "Dangerous and Offensive Trades" The Bye laws under consideration contemplate for amendment in this file refers to increasing the fee for medical examination of food handlers The Corporation has accordingly suggested the Reference of approved fee in this file may be noted to the Corporation and he may be Requested to furnish the conformation called for in this office letter no dated 19) 52.

A

9) Sales for orders

Rec 15/11/52

(10) A appr

SDA 15/11/52

DA 17/11

11) Dft Letter to the Corporation Mysore copy of the same is put up for approval

Rec 17/11/52

SDA 19/11/52

(12) Issue

DA 20/11

To

The Municipal Commissioner
Mysore City Municipality
Mysore (Thr Assistant)

Memo

SUS-A

L 15033 / CM 27-52 36 dated 20/11/52
Calls for a report.

SUS-A
28/11/52

5930 ನೋಟಿಫಿಕೇಷನ್ 5

Amendment of Bye-laws relating to offences declared dangerous Trades - Fees for the medical Examination of Food handlers

Read
The Municipal Commissioner, Mysore City
No C2 CR 284 (5) 53 Dt 8/9-12-52
Requesting the information called for

13) It is seen from the Commissioner's letter that there has been a gradual increase of Retail sale from the fee for the medical examination of food handlers from 1950-51 and onwards the Commissioner during the current year 52-53 for being Rs 2828/ the expenditure in this behalf is worked out to be Rs 3760/ hence on being made for the Salary of an Asst Health officer exclusively for this work It is also seen from the Commissioners Report that this is a seasonal work to be done during a short period perhaps in the Commencement of the official year hence it appears there is no need for a separate Asst Health officer exclusively for this work all through the year, though it has been Recommended - So by the Commissioner Corporation - that the Commissioner should cover the expenditure and to Sanction the proposal for enhancement of the fee

14) The Mysore City Rules are passing

5 Miscellaneous Laws relating to offensive and dangerous
5930 5711(2)/mb

Amendment of the Case laws relating to dangerous and offensive trade - Fee for the Medical exam of food handlers

a higher Rate of licence fee than on Beer and the hotels have been paying a number of other taxes. The Representative of the Mysore city Hotels Association urged Members before the Hotels Committee constituted to examine the possibility of the Govt levying an additional fee on hotels, which the latter hotels have been paying now are already too onerous and burdensome and that therefore the hotels deserved some sympathetic consideration in regard to the taxation policy of the Govt

15) Licence fee cannot be a source of revenue to the Municipality and the Rates charged should be such as to just defray the expenses, if any incurred by the Local Body. Judged by this test no case appears to have been made out for enhancing the fee for the medical examination of food handlers in the Mysore city Municipality

16) The proposal is for orders

Rao 27/11/85
SR 28/11/85

17) The Law Secretary has given his opinion on a similar paper in another file. Please enclose the extract of the opinion given by him

Secy

27/11

7110/ml

Amendment of the Bye-laws relating to dangerous and offensive trades — Fee for the Medical examination of food handlers

---

(2) An extract of the opinion of the Law-Secy on file bearing D.No 5348/ml is put up as per orders

Sd/- 28/1/53

Sd/- 28/1/53

(4) Now the proposal is to enhance the fee from Re 1 to Rs 2/- for examination and certification of persons who handle food the reasons adduced by the MI council are that the income derived from this source is below Rs 3000/- per year whereas the MI C has incurred Rs 3760/- per year and that the MI C has felt the necessity of employing a whole time Doctor and a clerk in addition to the existing staff

Mysore is a growing city and the examination of food handlers has to be done as quickly as possible As the practical experience has shown the necessity of employing a Doctor and a clerk, it is not desirable to turn the proposal on an important subject like this

Amendment of bye law relating to offensive & Dangerous Trades

F.177

7110

20) Further, the increase of fee from Re 1/- to Rs 2/- is not much and cannot be considered as too heavy. The fact it is just sufficient to meet the expenditure that the MI is incurring on this work. Therefore, the proposal of the MI to enhance the fee from Re 1-0-0 to Rs 2/- may be approved.

30/1/53

Secy
Dept

21) The proposal of the Municipal Council is reasonable and may be approved. The enhancement of the fee will stand the scrutiny of the principle enunciated by the Law Secy in another similar case (Secy A)

Minister SG
thro
Law Secy

1/2/53

21/

22) MS

23)

2 5-3

Amendment of bye laws relating to offensive and Dangerous Trades

T110
TC

24) Off Co to put up for approval

Ae
16/2/53
BM
16/2

25) When is the draft of the amendment to the Bye law - 25th

26) The draft of the amendment is of Class 'F'

Ks
25/2/53
BM
25/2

Dasya
28th

To The Dl Comm Mysore
(Thro prest)
" C-S D D

L 21163-64 (ERG 2) 52-53
dated 19-3-53
Sanctions the amendment of the bye-laws

BM
8/4
✓ BM

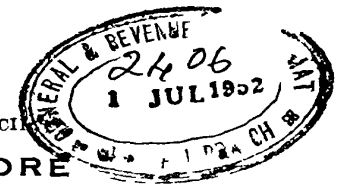
No. C2CR 284/52 53
Encls 3

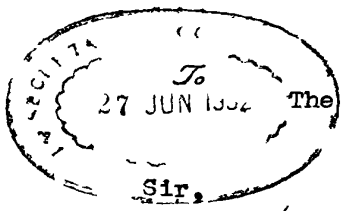
1

CITY MUNICIPAL COUNCIL
P B N 17
Mysore Dated 24-6-52.

From

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
MYSORE





To

The Secretary to Government,
L S G Department, Bangalore
(Through the President)

Sir,

Subject - Amendment of the bye-law relating to dangerous and offensive trades so as to increase the fee for the medical examinations of food handlers from Rs 1/- to Rs 2/-

---

I write to state that the Government in their order No L 9392-4/M1 106-45-35 dated 14-3-46 approved of the amendment of the bye-law regulating the licensing and inspecting of the conduct of bakeries, sweetmeat shops, hotels, restaurants, tea and coffee houses, ice and aereated water manufacturing places and private meat stalls so as to provide for registration and certification of persons employed in these places of business A copy of the set of rules added on to the existing bye-law as per the G O of 14-3-46 is enclosed for ready reference The proposal of enhancing the fee levied under rule IX of the rules referred to above from Rs 1/- to Rs 2/- for the examination of every person desiring to obtain a certificate was recommended by the Health Committee on the note of the Health Officer and the same was approved by the Council at their meeting held on 8-3-52 Due action was taken to notify the desired amendment and call for objections Copies of the Gazette notification are enclosed for reference

As no objections were received in response to the notification within the prescribed period of one month, the Council have finally approved of the amendment, at their meeting held on 5-6-52

In enclosing a copy of the resolution, I request you kindly to obtain orders of Government sanctioning the proposal of the Council to increase the fees for examination and certification for

P T O

for the above class of employees from Rs 1/- to Rs 2/-

As the question is one involving revenue to the Municipality early orders of Government may kindly be obtained and communicated in the matter

Yours faithfully,

(S. Seshagiri Rao) 24/6/52
Municipal Commissioner

Forwarded with compliments,

24/6/52

(A Krishnamurthy Rao)
President

PSK

3

OFFICE OF THE MUNCIPAL COMMISSIONER,
CITY MUNICIPAL OFFICE, MYSORE.

POST BOX No. 17.

Notification dated 24th March 1952.

Notice is hereby given to the inhabitants of the Municipality of Mysore that the Municipal Council desire to further amend the bye-laws for regulating the licensing and inspecting of the conduct of bakeries, sweetmeat shops, hotels, restaurants, tea and coffee houses, ice and aerated water manufacturing places and private meat-stalls amended as per G.O. No. L. 9392-4—M1. 106-45-35, dated 14th March 1946, so as to provide for the certification and registration of persons employed in those places of business, contained in Chapter XVI of the Municipal Rules and Bye-laws so as to effect the following amendment:—

No. and wording of the Bye-law now existing	No. and wording of the bye-law as proposed
IX. That a fee of Rupee one shall be charged for the examination of any person desiring to obtain a certificate or its renewal and a fee of Re. 0-8-0 shall be charged for the registration	IX. That a fee of Rupees two shall be charged for the examination of any person to grant a certificate or its renewal and a fee of annas eight shall be charged for the registration.

Any inhabitant of the Municipality objecting to the proposed amendment may, within one month from the date of this notice, send his objections in writing to the undersigned.

M. S. SWAMINATHAN,
Municipal Commissioner.

2047a

OFFICE OF THE MUNCIPAL COMMISSIONER,
CITY MUNICIPAL OFFICE, MYSORE.

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No. and wording of the Bye. law now existing	No and wording of the bye-law as pr posed
IX. That a fee of Rupee one shall be charged for the examination of any person desiring to obtain a certificate or its renewal and a fee of Re. 0-3-0 shall be charged for the registration	IX. That a fee of Rupees two shall be charged for the examination of any person to grant a certificate or its renewal and a fee of annas eight shall be charged for the registration.

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No. and wording of the Bye-law now existing	No. and wording of the bye-law as proposed
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M. S. SWAMINATHAN,
Municipal Commissioner.

2047a

5[illegible]

Proceedings of the Adjourned Meeting of the City Municipal Council held in the Municipal Offices on Thursday the 5-6-52 at 4 P

---

288 Office note regarding the final approval of the amendment to bye-law No 1X of Chapter XV1 of the Municipal rules and Bye-laws so as to enhance the fees for the Medical examination for food handlers, ~~be~~ from Rupee one to Rs two (No objections having been received in response to notification dated 24-3-52)

A p p r o v e d

Sd A Krishnamurthy Rao

PRESIDENT

Copy

for Municipal Commissioner

PSK

6

Draft Amendment

The following Bye-laws be numbered as Vll, Vlll, and IX on page 125

VII " That no person shall be employed or entertained in any bakery, sweetmeat shop, hotel, restaurant, tea and coffee houses, ice and aerated water manufacturing place and private meat stall, either for the purpose of serving or preparing or manufacturing or producing any articles of food for human consumption, unless he has got himself examined and obtained a medical certificate ~~for~~ from the Doctor in the employment of the Municipal Council or by Medical Practitioner approved by the Municipal Council and got himself registered in the Municipal Office

VIII No person who is to be employed or entertained in any bakery, sweetmeat shop, hotel restaurant, tea and coffee houses, ice and aerated water manufacturing place and private meat stall shall serve, or prepare or manufacture or produce any articles of food for human consumption without previously getting himself examined and obtained a medical certificate that he is free from any infectious or contagious or loathsome disease and that he is fit for the work and that he shall have the certificate renewed after examination within 15 days of the commencement of each official year

IX That a fee of rupee one shall be charged for the examination of any person desiring to obtain a certificate or its renewal and a fee of annas eight shall be charged for the registration

X The original Bye-law Vll be re-numbered as X 1047

R Ramachandra Rao Bhombore,
President

Copy

For Municipal Commissioner

PSK

Appendix F G—1]

SUBJECT Amendment of the Bye laws Relating to dangerous and offensive trades so as to increase the fee for the medical examinations of food handlers from Re 1/ to Rs 2/

Section

File No

Serial No

Diary No of letter replied to

No L 5051/19-7-52

To

The Municipal Commissioner
Mysore City Municipality
(Through the post)

General and Revenue Secretariat

( )

the 19

Sir,

With Reference to your letter No C.1.C.R 284/52-53 dated 4th G 52 on the above Subject, I am directed to observe as follows -

Date of issue

Signed by

The amendment proposed purports to enhance the fee for Medical examination of food handlers from Re 1/- to Rs 2/ The levy of fee for the examination cannot be a Source of income to the Municipality but is charged to cover expenses, if any, incurred by the Municipality on this account Hence enforcation Regarding the amount

List of enclosures

Copied by

Examined by

realised by users of such a fee, extra expenditure occurred on the excavation of those four holders and how far the realisations fall short of the expenditure necessary to ~~the~~ known requirements of the recently executed legislation for the enhancement ~~pro~~ of the fee proposed

para 2 of Regulations No IX prescribes the period of currency of the certificates as 1st July to 30th June of each year Now that the official year has been changed to run from 1st April to 31st March, I am to suggest that the opportunity of amending the Regulations should not be ~~exercised~~ taken to amend the currency of the certificate also as regards date of the changed official year.

An early and clear report on the above points may be furnished

Yours faithfully

[signature]

for Secretary

11/7/52

No C2 P R 13/50-51 CH27-5235 8

Encls

CITY MUNICIPAL COUNCIL
P B No 17
Mysore Dated 31-10-52

FROM

The Municipal Commissioner
CITY MUNICIPAL COUNCIL
MYSORE

5930
1 NOV 1952

To

The Secretary to Government,
L S C Department, Bangalore-1

Sir,

Subject - Amendment of the Bye-laws relating to dangerous and offensive Trades

With reference to your reminder letter No L 12071 dated 27-10-52 on the above subject, I write to invite your kind reference to this office letter of even number dated 30-4-52 and further communications dated 13-10-52 and request you to communicate early orders of Government approving the amendment proposed by the Council

SECRETARIAT
L S C DEPT

Yours faithfully,

(F M Abdul Rahim)
Municipal Commissioner

pcp

No. L 15033/ /CR27-52 36
L 27/11/52

To

The Municipal Commissioner
Mysore City
Chamarajapuram Post Srirangapatna

Subject: Accommodation of Explosives relating to dangerous and offensive trades - Question of fee for the Medical Examination of Shop Assistants

Sir,

With reference to your letter No. C.P.R 18/50-51 dated 31.10.52, I am directed to state that the Rules framed under the Explosives Act do not prescribe any fee for the examination of shop assistants relating to sale of explosives in retail shops. The question of prescribing fees for the examination of shop assistants employed in retail shops for sale of explosives was considered in connection with the proposal to levy fees for the examination of persons employed in electric Motors and the examination called for in this office letter No. L 5057 dated 19.7.52 relating to enhancement of fees for medical examination of shop assistants and a reply thereto may be expected by the first week of

Yours faithfully

for Chief Inspector of Explosives

27/11/52

No Encl — C2 CR 284/52 53

10

CITY MUNICIPAL COUNCIL
P B No 1/
Mysore, Dated 8-12-52
9

FROM

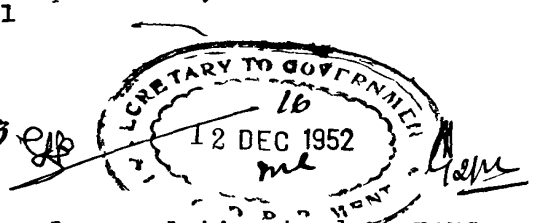
The Municipal Commissioner
CITY MUNICIPAL COUNCIL
MYSORE

To

The Secretary to Government,
L S G and Planning Departments,
Bangalore-1

(Through the President)

Sir, CR 25-52-59 CR



Subject -

Amendment of the Bye-laws relating to dangerous and Offensive trades so as to increase the fee for medical examination of food handlers from Re 1/- to Rs 2/-

---

& MAS

With reference to your letter No L 5051 dated 19-7-52 on the above subject, I write to state that the fees realised by way of medical examination of Food handlers is noted below -

1950-51	(9 months)	2403	8	0
1951-52		2798	0	0
~~1952~~ 1952-53	sofar	2828	0	0

The Assistant Health Officer is looking after this work with the help of a maistry The expenditure incurred every year is Rs 3760/- as noted below

1	Pay of the Assistant Health Officer	Rs 3060/-
2	Pay of Maistry	600/-
3	Stationery	100/-
		Rs 3760/-

The appointment of a wholetime doctor and a clerk is necessary for the work as the number of food handlers is nearly 2000 and the examination is to be done within a short period It is therefore seen that the income derived from this fee is not a source of income to the Municipality

As regards the amendment of the bye-law regarding the currency of the period now prescribed being changed, I invite reference

P T O

reference to your letter No nil dated 28-3-50 (copy enclosed) inviting reference to Ganeral clauses Amendment Act 1950 according to Section 4 of which the expression financial year or officialyear ~~according~~ occurring in any Mysore Act, Rule, Bye-law, order or notification there-under shall be construed as the year commencing from 1st April which covers the Municipalities Act etc , also

In these circumatances, I request that orders of Government may ~~be~~ kindly be obtained sanctioning the proposal of the Council to enhance the fees for medical examination of food handlers

Yours faithfully,

Municipal Commissioner

Forwarded with compliments,

A Krishnamurthy Rao

(A Krishnamurthy Rao)

President

PSK

//

Copy of letter No Nil dated 28-3-50 from the Secretary to Government, L S G Department, Bangalore to the Commissioner Mysore city Municipality (through the President)

With reference to your D O letter No Cl P 1/49-50 dated 12th March 50 in the matter of changing the definition of the term " official year " occurring in the Mysore city Municipalities Act, 1933, I am directed to invite reference to the Mysore General clauses (Amendment) Bill, 1950 which is intended to give effect to the adoption in the change of the official year to commence from the 1st day of April each year, necessitated by the inauguration of the new constitution on 26th January 1950 and the integration of the States finances with those of the Union in the new set up (copy enclosed for reference) Under Section 4 of the said Bill it is laid down that the expression " Financial year " or " Official year" occurring in any Mysore Act or any Rule, bye-law, order or notification thereunder shall be construed as the year commencing from 1st April which covers the Municipalities Acts also I am therefore to request that, pending promulgation of the above Act, the changed official year from April to end of March together with the consequential amendments relating to the months viz , April for July occurring in section 204 of the city Municipalities Act, 1933 may be adopted for the purposes of the preparation of the Municipal Budget for 50-51

Separate action will also be taken to make further necessary amendments, if any, in the several Municipal Acts

---

C o p y

Municipal Commissioner

9/12

PSK

R

4 Copies

Proceedings of the Govt of Mysore

Read

Correspondence ending with the letter as C2:CR 284/52-53 dated 8/9-12-52 from the Municipal Commr, Mysore to the Municipality requesting approval to the amendment of the bye laws relating to dangerous and offensive trades so as to enhance the fee for the medical examination of food handlers from Re 1/- to Rs 2/- as recommended by him and the Resolution dated 5-6-52

Order No H 21163-64/A(2) 52-53

The amended bye-laws ~~submitted~~ Approved & Draft ~~after examining the proposals contained in the letter~~ the Amendment as proposed as noted in margin is approved

28/2
for Secy to Govt

26/2/53

To
1) The Commr, Mysore City Municipality (through the DHS)
2) Controller S&A

Attested.

7/3/53

7/3/53 Recd at 4.30